

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In Re: NEW YORK CITY ASBESTOS LITIGATION : Hon. Joan A. Madden, J.S.C.
: (Part 11)

This Document Relates To: : Index No. 114120/06

CHRISTIAN HOLINKA,

Plaintiff

-against-

A.W. CHESTERTON COMPANY, et al.,

Defendants.

**ORDER TO SHOW CAUSE
FOR DEFENDANTS' MOTION IN
LIMINE TO PRECLUDE
REFERENCE TO "ASBESTOS
PRODUCTS"**

PLEASE TAKE NOTICE that, upon the annexed Affirmation of Timothy J. Fraser, Esq., the Affirmation of Kenneth S. Weinberg, Ph.D., and the Memorandum of Law in Support of Defendants' Motion *In Limine* To Preclude Reference to the Products In Issue as "Asbestos Products," and sufficient cause having been shown, it is

ORDERED, that counsel for the plaintiff show cause in IAS, part 11, Room 351, of the Supreme Court of New York, County of New York, located at 60 Centre Street, New York, New York, before the Honorable Joan A. Madden, J.S.C. on the ____ day of _____, 2007, at _____.m. or as soon thereafter as counsel may be heard, why an Order should not be entered granting the motion *in limine* of defendants Baxter Healthcare Corporation (alleged to be a successor in interest to American Hospital Supply Corp. and American Scientific Products), ManorCare Health Services, Inc. (alleged to be a successor in interest to Central Scientific Company, a division of Cenco, Inc.), Fisher Scientific International Inc., VWR International, Inc.

and Univar USA Inc. (collectively, "Defendants") to preclude reference to the products in issue as "asbestos products."

ORDERED, that service of copies of this Order to Show Cause and supporting papers be made to all parties before the _____ day of _____, 2007, by serving a copy thereof by hand delivery on counsel for plaintiff, Benjamin Darche, Esq., at Weitz & Luxenberg, and by first class mail to counsel for all remaining parties, such service shall be deemed sufficient notice.

ORDERED that the papers, if any, in opposition to this motion shall be served by hand delivery upon counsel for the moving defendants no later than _____ day(s) prior to the return date of this motion.

Hon. Joan A Madden, J.S.C

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J.A.S. Part 39

Index No. T14120-06

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MOTION *IN LIMINE* TO PRECLUDE REFERENCE
TO "ASBESTOS PRODUCTS"**

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